

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Florence Guimberteau et al.

Application No.: 10/522,252

Confirmation No.: 8812

Filed: February 15, 2006

Art Unit: 1618

For: ORAL PHARMACEUTICAL
FORMULATION IN THE FORM OF A
PLURALITY OF MICROCAPSULES FOR
PROLONGED RELEASE OF ACTIVE
PRINCIPLE(S) WITH LOW SOLUBILITY

Examiner: N. G. EBRAHIM

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

WO 96/11675 is in French, but includes an English-language abstract.

Applicants believe books referenced in the specification for general, conventional scientific techniques, are not relevant to the patentability of the claimed subject matter of the above-referenced application and have not listed them on form SB/08 or submitted copies, specifically, European Pharmacopoeia, 3rd Edition. Should the Examiner require a copy of this book, one will be supplied upon request.

In accordance with 37 C.F.R. §1.98(a)(3)(i), a concise explanation of the non-English reference, Dubernet et al., "La Microencapsulation: Ses Techniques et ses Applications en Biologie," L'actualite Chimique, 1986, pp. 19-28 is incorporated within the specification.

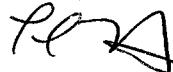
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Credit Card in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2228, under Order No. 022290.0123PTUS.

Dated: May 1, 2008

Respectfully submitted,

By 

Lacy L. Kolo
Registration No.: 55,340
PATTON BOGGS LLP
8484 Westpark Drive, 9th Floor
McLean, Virginia 22102
(703) 744-8000
(703) 744-8001 (Fax)
Attorney for Applicant